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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,315	09/19/2000	Herbert D. Jellinek	FUSNI-01307US0	5540
7590	07/13/2004			EXAMINER
WILLIAM J. HARMON, III VIERRA MAGEN MARCUS HARMON & DENIRO LLP 685 MARKET STREET SUITE 540 SAN FRANCISCO, CA 94105-4206			MIRZA, ADNAN M	
			ART UNIT	PAPER NUMBER
			2141	12
DATE MAILED: 07/13/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/665,315	JELLINEK ET AL.	
	Examiner	Art Unit	
	Adnan M Mirza	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 26 April 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 April 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Boor et al (U.S. 2003/0084121) and Kikinis (U.S. 6,553,410).

As per claim 1 De Boor disclosed a method of operating a server machine to perform server actions, the method comprising: storing, at a location accessible to said server machine, a template for use in performing server actions, wherein the template includes a field, and attribute data associated with the field (Page. 2, col. 0024), wherein the attribute data indicates whether it is necessary to obtain information to complete the field from users of the template; receiving a request from a client machine for performance of a server action using the template (Page. 4, col. 0035); and in response to the request, performing a server action using the template wherein the step of performing the server action includes: determining from the attribute data whether it is necessary to obtain information to complete the field (Page. 6, col. 0084);

However De Boor did not disclose in details if it is not necessary to obtain information to complete the field, then performing the server action without obtaining information from the client machine to complete the field; and if it is necessary to obtain information to complete the field, then obtaining information from the client machine to complete the field prior to performing the server action.

In the same field of endeavor Kikinis disclosed a client uploads a sequence of URL's to a proxy server adapted for reduced content data sharing according to the present invention. The client may then provide an initiation signal identifying the Mark-Script, and the server will access the first destination of the Mark-Script, translate the content according to the User's template, and transmit the result to the client device. While the user is viewing the first result, the Mark-Script accesses the second destination, performs the translation, and queues the data for transmission to the user after the user is finished with the data from the first destination. The process proceeds through all of the listed destinations and the results are queued in order for transmission, which typically ready signal from the user (col. 27, lines 34-49).

It would have been obvious to one having ordinary skill in the art at the time of the invention to have incorporated if it is not necessary to obtain information to complete the field, then performing the server action without obtaining information from the client machine to complete the field; and if it is necessary to obtain information to complete the field, then obtaining information from the client machine to complete the field prior to performing the server action as taught by Kiknis in the method of De Boor to have the computer and computerized appliances

maintained efficiently and significantly enhanced while greatly reducing the aggregate data traffic between data sources and dependent computers and appliances.

4. As per claim 2 DeBoor-Kiknis disclosed further comprising the step of, prior to storing the template, producing the template based on user input received from a second client machine that is different from said client machine (DE Boor, Page. 16, col. 0293).

5. As per claims 3,22-23, 26-27 De Boor-Kiknis disclosed wherein the step of producing the template includes: receiving user input that indicates that said field is editable, and receiving user input that specifies a candidate value for said field; and the step of obtaining information from the client machine includes: transmitting the candidate value to said client machine; and receiving a signal from said client machine that indicates that said candidate value is to be used for said field during said server action (De Boor, Page. 16, col. 0267-0273).

6. As per claim 4 De Boor-Kiknis disclosed wherein the second client machine includes a display and keyboard that are not part of the client machine (De Boor, Page. 9, col. 0146).

7. As per claim 5 De Boor-Kiknis disclosed in which the display and keyboard are part of a workstation or personal computer that communicates with the server machine through a network (De Boor, Page. 6, col. 0080).

8. As per claim 6 De Boor-Kiknis disclosed in which the network is an Internet (De Boor, Page. 6, col. 0084).

9. As per claim 7 De Boor-Kiknis disclosed in which the client machine is machine from a set that consists of a portable telephone and a personal digital assistant (De Boor, Page. 5, col. 0070-0071).

10. As per claim 8 De Boor-Kiknis disclosed in which the server action is creation of a message (Kiknis, col. 12, lines 37-41).

11. As per claim 9 De Boor-Kiknis disclosed in which the field is an address field (Kiknis, col. 11, lines 1-3).

12. As per claim 10 De Boor-Kiknis disclosed wherein: the field is a to-address field; the template further includes a message type item of data indicating whether the message is a reply to an existing message (Kiknis, col. 14, lines 53-63); the method further comprises, performing the following steps if it is not necessary to obtain information to complete the field: determining from the message type item of data whether the message is a reply; and if the message is a reply, then automatically extracting an address from the existing message to complete the field (De Boor, Page. 8, col. 0117).

13. As per claim 11 De Boor-Kiknis disclosed wherein: the template further includes an address item of data indicating an address; and the method further comprises the step of using the address item of data to complete the field if the message is not a reply (Kiknis, col. 26, lines 1-18).

14. As per claim 12 De Boor-Kiknis disclosed in which the field is a subject field (Kiknis, col. 11, lines 1-3).

15. As per claim 13 DeBoor-Kiknis disclosed wherein: the template further includes a message type item of data indicating whether the message is derived from an existing message; the method further includes performing the following steps if it is necessary to obtain information to complete the field Kiknis, col. 25, lines 53-67): determining from the message type item of data whether the message is derived from an existing message; and if the message is derived from an existing message, automatically extracting a subject from the existing message to complete the field (De Boor, Page. 9, col. 0156).

16. As per claim 14 De Boor-Kiknis disclosed wherein: the template further includes a subject item of data indicating a subject; the method further comprises the step of using the subject item of data to complete the field if the message is not derived from an existing message (De Boor, Page. 10, col. 0160).

17. As per claim 15 De Boor-Kiknis disclosed wherein: the field is a body field; the template further includes a body item of data indicating a message body; and the method further comprises the step of using the body item of data to complete the field if it is not necessary to obtain information to complete the field (De boor, Page. 14, col. 0235-0236).

18. As per claim 16 De Boor-Kiknis disclosed in which the server action is scheduling an appointment (De Boor, Page. 18, col. 0315).

19. As per claim 17 De Boor-Kiknis disclosed in which the server action is submission of a database query (Kiknis, col. 14, lines 41-53).

19. As per claim 18 De Boor-Kiknis disclosed in which the attribute data includes a flag bit indicating whether it is necessary to obtain information to complete the field (De Boor, Page. 15, col. 0257).

20. As per 19 has the same limitation as to claim 1 therefore under the same circumstances claim 19 can be rejected.

21. As per claims 20,21,24, 25 De Boor-Kiknis disclosed a method of performing server actions, the method comprising the steps of receiving first user input for a template; storing said template at a location accessible to a server machine; after said template has been stored, receiving from a client machine a request to perform a server action that requires user input for a

plurality of fields (De Boor, Page. 2, col. 0024); receiving a signal from said client machine that indicates whether to use said template to perform said server action; if said signal indicates to use said template to perform said server action, then performing said server action using said first user input as user input for one or more of said plurality of fields (Kiknis, col. 26, lines 1-29); if said signal indicates to not use any template to perform said server action, then performing the steps of requesting user input for said plurality of fields from said client machine; performing said server action using user input received from said client machine for said plurality of fields (De Boor, Page. 14, col. 0232-0235).

22. Applicant's arguments are as follows:

(A). Applicant argued on Page. 11 Lines 26-30 that one ordinary skill in the art would not be motivated to combine teachings directed to user interface pages stored in local memory of a wireless device with teachings directed to data templates "adapted to translate standard WEB pages" or Mark-Scripts "adapted for accessing Web pages one-after-another since the problems and solutions addressed by each are different.

As to applicant's argument DeBoor and Kikinis both prior art fulfill the requirements for motivation to combine their teachings. In DeBoor and Kikinis both are related to the web-browsing in a connection-less and connection oriented environment. Therefore it would have been obvious to combine the teachings of Kikinis in the method of DeBoor to have the computer and computerized appliances maintained efficiently and significantly enhanced while greatly

reducing the aggregate data traffic between data sources and dependent computers and appliances.

(B). Applicant argued that prior art failed to disclose “a template for use in performing server actions”.

As to applicant’s argument DeBoor disclosed the user interface pages are stored in a local memory of the wireless communication device, and fetched by the browser which decodes them and displays the appropriate user interface elements (Page. 2, Pagrah. 0024). One ordinary skill in the art at the time of the invention can interpret the User Interface as to Template where both User Interface and the Templates has their data manipulated according to the User needs.

(C). Applicant argued that prior art failed to disclose “performing a server action using the template wherein the step of performing the server action includes determining from the attribute data whether it is necessary to obtain information to complete the field”.

As to applicant’s argument Kikinis disclosed the client may then provide an initiation signal identifying the Mark-Script, and the server will access the first destination of the Mark-Script, translate the content according to the User’s template, and transmit the result to the client device. While the user is viewing the first result, the Mark-Script accesses the second destination, performs the translation, and queues the data for transmission to the user after the user is finished with the data from the first destination (col. 27, lines 37-46).

(D). Applicant argued that prior art merely translates content for specific clients.

As to applicant's argument Kikinis disclosed While the user is viewing the first result, the Mark-Script accesses the second destination, performs the translation, and queues the data for transmission to the user after the user is finished with the data from the first destination (col. 27, lines 42-46).

(E). Applicant argued that prior art failed to disclose "storing at a location accessible to a server machine, a plurality of templates associated with a plurality of server actions that the server machine can perform".

As to applicants argument Kikinis disclosed accessing a Mark-Script stored at the server and associated with the client device, the Mark-Script listing a sequence of WEB pages to be accessed for the client; accessing the listed WEB pages and storing the retrieved data at the server (col. 3, lines 56-61).

Conclusion

23. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

25. The examiner can normally be reached on Monday to Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dharia Rupal can be reached on (703)-305-4003. The fax for this group is (703)-746-7239.

26. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label "PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED PROCEDURE"),

(703)-746-7238 (For After Final Communications).

27. Any Inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,
2021 Crystal Drive, Arlington, VA 22202.

AM

Adnan Mirza

Examiner


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER